

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
2004 OCT -7 P 12:01

U.S. DISTRICT COURT
DISTRICT OF MASS.

MURRAY PAVING & RECLAMATION,
INC.

Plaintiff

VS.

Civil Action No 04-10328 GAO

INGERSOLL-RAND EQUIPMENT &
SERVICES COMPANY

and

INGERSOLL-RAND COMPANY

Defendants

RULE 16(D)(3) CERTIFICATIONS OF PLAINTIFF
MURRAY PAVING & RECLAMATION, INC.

Plaintiff Murray Paving & Reclamation, Inc., and its undersigned Counsel hereby certify that they have conferred and have established a budget for the cost of conducting the full course of this litigation, including various alternative scenarios.

Murray Paving & Reclamation, Inc. and its Counsel have also conferred in order to consider alternative dispute resolution.

MURRAY PAVING & RECLAMATION, INC.
By its attorney:

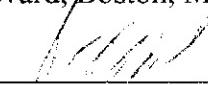
Peter F. Davis BBO #116160
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Boston, Mass. 02109
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Fax: (617) 723-2844

Murray Paving & Reclamation, Inc.

By _____
Stephen E. Johnson, Treasurer

Certificate of Service

I certify that on October 2004, I served a copy of the within document on defendants by mailing same to their Counsel of Record, Carter D. Morse, Jr., Esquire, Foley Hoag LLP, 155 Seaport Boulevard, Boston, Mass. 02110.


Peter F. Davis